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DETAILED ACTION

1. Claims 1-2, 12-13 and 77-100 are pending.
2. The information disclosure statement filed September 26, 2002 (courtesy copy with a fax dated July 10, 2009) has been considered. An initialed copy is enclosed.
3. The objection of claims 1, 24, 26, 27, 30, 32, 33, 35, 38, 76, 77, 78, 80, 81, 82, 84 and 85 has been obviated by the claims amendment filed June 22, 2009.
4. The rejection of claim 12 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has been obviated by the claims amendment set forth below.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
6. Authorization for this examiner's amendment was given in a telephone interview with Heather R Kissling on July 8, 2009.
7. **In the specification:**
 - The Cover sheet with the "Express Mail" mailing label has been deleted.
8. **In the claims:**
 - Claims 80, 81, 84, 93 and 100 have been canceled.
 - Claim 1, line 3, "6-40" has been changed to -- 8 to 25 --

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- Claim 77, line 2, “that” has been changed to -- wherein the peptide --
- Claim 78, line 3, “6-40” has been changed to --10 to 25 --
- Claim 82, line 4, “8 to 40” has been changed to -- 8 to 25 --
- Claim 85, line 2, “that is 10-30” has been changed to -- wherein the peptide is 10 to 20 --
- Claim 89 has been replaced as follow -- A peptide according to claim 1, 78 or 82, wherein the peptide is conjugated to a cytotoxic agent or a label. --
- Claim 90, lines 1-2, “attached to the peptide, said label” has been deleted.
- Claim 91, line 2, “attached to the peptide, said cytotoxic agent comprising” has been deleted.
- Claim 92, line 2, “attached to the peptide, said cytotoxic agent comprising” has been deleted.
- Claim 94 has been replaced as follow -- A chimeric protein comprising a peptide according to claim 1, 78 or 82 attached to a tumor necrosis factor. --
- Claim 95 has been replaced as follow -- A chimeric protein comprising a peptide according to claim 1, 78 or 82 attached to an antibody or binding fragment thereof. --
- Claim 96, line 3, -- wherein the modification is glycosylation, pegylation or inclusion of non-hydrolyzable bond -- has been inserted after "mammal"
- Claim 97, line 2, -- wherein the peptide dimer binds to VEGFR-3 -- has been inserted after "82"

9. Claims 1-2, 12-13, 77-79, 82-83, 85-92 and 94-99 are allowed.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Huynh “NEON” whose telephone number is (571) 272-0846. The examiner can normally be reached Monday through Friday from 9:00 am to 5:30 p.m. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on (571) 272-0735. The IFW official Fax number is (703) 872-9306.

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11. Any information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Phuong Huynh/

Primary Examiner, Art Unit 1644

July 10, 2009